

REMARKS

Claims 24, 25, 27-35, and 37-42 are pending. Claims 24, 25, 27-29, 31-35, 37-42 have been rejected under 35 U.S.C. §103. Claim 30 has been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. By this Amendment it is proposed to amend Claim 24. Support for the proposed amendment to Claim 24 is found in Claim 30 as previously presented. It is also proposed to cancel Claims 25, 30, 35, and 37-42. Claims 26 and 36 have been cancelled in previous correspondence. Accordingly, Claims 24, 27-29, and 31-34 remain for consideration upon entry of the present Amendment. No new matter has been added.

The Examiner has objected to Claim 30 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the indication of allowable subject matter and propose to amend Claim 24 (the base claim) to include the subject matter of Claim 30. Therefore, Claim 24 as now written is deemed to be in allowable form. As indicated above, it is proposed to cancel Claim 30. Applicants therefore respectfully request that the Examiner withdraw the objection to the Claim 30 and allow Claim 24 as now written.

In the outstanding Office Action Claims 24, 25, 27-29, and 35 are rejected over U.S. Patent No. 4,718,949 to Takase et al. (hereinafter "Takase"); Claims 32 and 38 are rejected over Takase in view of U.S. Patent No. 3,271,205 to Murgatroyd et al. (hereinafter "Murgatroyd"); Claims 33 and 39 are rejected over Takase with evidence from a journal article published in 1959 entitled "Zirconium Analysis by Production Control Quantometer" by Easterday (hereinafter "Easterday"); Claims 41 and 42 are rejected over U.S. Patent No. 3,607,639 to Van Santen et al. (hereinafter "Van Santen") in view of Takase; Claims 41 and 42 are also rejected over U.S. Patent No. 5,323,434 to Lorek et al. (hereinafter "Lorek") in view of Takase; Claims 24, 27-29, 31, 35, and 37 are rejected over European Patent Application No. 0 198 570 to Sabol (hereinafter "Sabol"); Claims 32 and 38 are rejected over Sabol in view of Murgatroyd; Claims 33 and 39 are rejected over Sabol with evidence from Easterday; Claims 34 and 40 are rejected over Sabol with evidence from Easterday and

further in view of Murgatroyd; Claims 41 and 42 are rejected over Van Santen in view of Sabol; and Claims 41 and 42 are also rejected over Lorek in view of Sabol.

As noted above, Claim 24 has been amended to incorporate the subject matter of Claim 30 in accordance with the Examiner's indication that Claim 30 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claims 25, 30, 35, and 37-42 have been cancelled, as indicated above. In view of the proposed amendment of Claim 24 (incorporating the subject matter of Claim 30) and the cancellation of Claims 25, 35, and 37-42, Applicants respectfully assert that the rejections of Claims 24, 25, 35, and 37-42 under 35 U.S.C. §103(a) in view of the prior art of record, are moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of Claims 24, 25, 35, and 37-42.

Claims that depend from a claim that is non-obvious are themselves necessarily non-obvious. Because Claims 27-29 and 31-34 depend from Claim 24 and because Claim 24 is deemed non-obvious and allowable for the reasons presented above, Claims 27-29 and 31-34 are also necessarily non-obvious. Applicants, therefore, respectfully submit that Claims 27-29 and 31-34 are allowable. Accordingly, Applicants respectfully request that the rejections of Claims 27-29 and 31-34 be reconsidered and withdrawn.

Applicants again thank the Examiner for the indication of allowable subject matter. Applicants also believe that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims as now presented herein are allowable. An early action to that effect is earnestly solicited.

If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

Applicants believe that no fees are due with the submission of this Amendment. However, if any charges are incurred with respect to this Amendment, they may be charged to Deposit Account No. 503342 maintained by Applicants' attorneys.

Respectfully submitted,

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